

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE FLASH MEMORY  
ANTITRUST LITIGATION

No. C 07-0086 SBA

## **ORDER OF CONSOLIDATION**

Over the last several months, this Court has related numerous actions to *Trong Nguyen v. Samsung Electronics Co., Ltd., et al.*, C 07-0086 (SBA). These cases involve many of the same defendants and share overlapping factual and legal claims. The plaintiffs in these actions allege the defendants conspired to fix, raise, maintain, or stabilize the prices of, or allocate the market for, Flash Memory, resulting in Flash Memory prices to be higher than they otherwise would have been. Most of these cases asserts causes of action under section 1 of the Sherman Act; the California Cartwright Act; the California Unfair Competition Law; and Antitrust and Unfair Competition Laws of the various States.

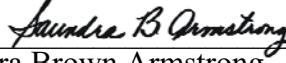
Federal Rule of Civil Procedure 42(a) provides that “[w]hen actions involving a common question of law or fact are pending before the court, it . . . may order all actions consolidated . . . .” A district court has “broad discretion under this rule to consolidate cases pending in the same district.” *Investors Research Co. v. United States Dist. Ct.*, 877 F.2d 777 (9th Cir. 1989). Moreover, the Court may order a consolidation of cases *sua sponte*. See *In re Adams Apple, Inc.*, 829 F.2d 1484, 1487 (9th Cir. 1987).

Accordingly, the Court finds that *Trong Nguyen v. Samsung Electronics Co., Ltd., et al.*, C 07-0086 (SBA) and the cases related to it involve common questions of fact and law. Therefore, pursuant to Rule 42(a), those cases captioned 07-cv-2286-SBA; 07-cv-2066-SBA; 07-cv-1020-SBA; 07-cv-1147-SBA; 07-cv-1236-SBA; 07-cv-1360-SBA; 07-cv-1388-SBA; 07-cv-1418-SBA; 07-cv-1459-SBA; 07-cv-1460-SBA; 07-cv-1489-SBA; 07-cv-1613-SBA; 07-cv-1665-SBA; 07-cv-1680-SBA; 07-cv-1735-SBA; 07-cv-1823-SBA; 07-cv-1829-SBA; 07-cv-3971-SBA; 07-cv-4252-SBA, are hereby consolidated

1 with *Trong Nguyen v. Samsung Electronics Co., Ltd., et al.*, C 07-0086. Any future cases found by this  
2 Court to be related to 07-0086 shall likewise be consolidated with this action. All dates and deadlines  
3 set in any action other than in 07-0086 are VACATED. The dates and deadlines currently set in 07-  
4 0086 shall apply to all proceedings. Counsel are instructed that this consolidated action will be known  
5 as *In re Flash Memory Antitrust Litigation*, and all future filings shall be under Case Number 07-0086  
6 SBA.

7 IT IS SO ORDERED.

8 October 16, 2007

  
9 Saundra Brown Armstrong  
10 United States District Judge

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